

Accordingly, applicants who elect to receive SBA physical disaster loans for dwelling and/or household content losses may also file for FmHA or its successor agency under Public Law 103-354 EM loan assistance in disaster areas declared by the President or the Secretary of Agriculture or FmHA or its successor agency under Public Law 103-354 Administrator. An EM loan will *not* be approved until it is determined the requirements of § 1945.163(d) of subpart D of this part will be met. When an EM loan is approved, the FmHA or its successor agency under Public Law 103-354 County Office will notify the SBA Disaster Area Office, pursuant to paragraph (a)(4)(ii) of § 1945.183 of subpart D of this part.

(c) *How SBA disaster loans are made available.* SBA disaster loans are available in counties:

(1) Named by the FEMA under a major disaster or emergency declaration by the President; for physical loss and/or economic injury disaster loans.

(2) Declared by the SBA Administrator for physical loss and economic injury disaster loans.

(3) Designated by the Secretary of Agriculture for Agri-dependent businesses.

(d) *Notification of SBA disaster areas.* The SBA Central (National) Office will notify the FmHA or its successor agency under Public Law 103-354 National Office when its disaster loan program is made available. The FmHA or its successor agency under Public Law 103-354 National Office will notify State Directors, by memorandum, of the SBA disaster areas; and State Directors will notify the appropriate County Supervisor(s) in writing.

**§ 1945.27 Relationship between FCIC and FmHA or its successor agency under Public Law 103-354.**

(a) *General.* Exhibit A of FmHA Instruction 2000-N (available in any FmHA or its successor agency under Public Law 103-354 office) is a Memorandum of Understanding between FCIC and FmHA or its successor agency under Public Law 103-354. This Memorandum of Understanding is intended to assist in maintaining and improving the working relationship between the FCIC and the FmHA or its

successor agency under Public Law 103-354 by providing encouragement to regular and FmHA or its successor agency under Public Law 103-354 EM loan borrowers to use Federal All-Risk Crop Insurance, where available; assist FmHA or its successor agency under Public Law 103-354 borrowers to obtain All-Risk Crop Insurance or other agricultural commodity insurance coverage; and exchange information essential to the elimination of duplicating compensatory disaster benefits from the FCIC and FmHA or its successor agency under Public Law 103-354 for the same disaster losses.

(b) *Annual meeting with FCIC.* FmHA or its successor agency under Public Law 103-354 State Directors will meet with FCIC Field Operations Office Directors at least once each year to review the Memorandum of Understanding and rededicate their efforts and those of their respective agency employees to comply with the agreements contained in the Memorandum of Understanding.

(c) *Contact after EM actual loss loans are made available.* After each disaster, when EM loans are made available, State Directors are *required* to promptly contact the FCIC Field Operations Office Director to review the Memorandum of Understanding and agree on how each agency will fulfill its responsibilities in dealing with the disaster situation.

(d) *Notification to County Offices.* State Directors *will* provide instructions for actions to be taken by County Supervisors in maintaining a good relationship with FCIC Insurance Representatives.

**§ 1945.28 Relationship between ASCS and FmHA or its successor agency under Public Law 103-354.**

Exhibit A of FmHA Instruction 2000-JJ (a copy of which is available in any FmHA or its successor agency under Public Law 103-354 office) is a Memorandum of Understanding between ASCS and FmHA or its successor agency under Public Law 103-354. This Memorandum of Understanding is intended to assist in maintaining and improving the working relationship between the ASCS and the FmHA or its successor agency under Public Law 103-